

#5021D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Harold M. Forman

For: COMPOSITE WEB FOR MAKING RESEALABLE PACKAGES AND RECLOSABLE  
SEALS

Divisional Application of Application Serial No. 09/693,963, filed 10/23/2000

Group Art Unit 3727

Examiner: Jes F. Pascua

DECLARATION IN DIVISIONAL APPLICATION DISCLAIMING INVENTION  
BY ONE OF JOINT APPLICANTS

I, Trevor G. Smith, a citizen of the United States of America, and a resident of Phoenixville, Pennsylvania, do declare as follows:

That I am the applicant who with Harold M. Forman on October 23, 2000 jointly filed an application for Letters Patent in the United States Patent and Trademark Office on an improvement in RECLOSABLE SEAL, PACKAGE, METHOD AND APPARATUS, above identified as Serial No. 09/693,963, and which is now pending;

That I am a joint inventor only of the subject matter defined by the method and apparatus claims 45 to 71 of the parent application Serial No. 09/693,963, and not of the subjects matter defined by the composite web claims 1 to 11 of this divisional application of the aforesaid application 09/693,963, which composite web claims 1 to 11 of this divisional application are the sole invention or inventions of Harold M. Forman;

That this Declaration is necessitated because of the separation of inventions caused by the restriction requirements set forth by the Examiner in the Office Actions dated August 15, 2001 and November 5, 2001.

ACCORDINGLY, I, Trevor G. Smith, disclaim as my invention or inventions the invention or inventions defined by the composite web claims 1 to 11 of this divisional application which are the sole invention or inventions of Harold M. Forman, and I request that the inventorship be so corrected.

Dated: December 12, 2001

  
\_\_\_\_\_  
Trevor G. Smith

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Harold M. Forman

For: COMPOSITE WEB FOR MAKING RESEALABLE PACKAGES AND RECLOSABLE  
SEALS

Application Serial No. 09/693,963, filed 10/23/2000

Group Art Unit 3727

Examiner: Jes F. Pascua

DECLARATION BY JOINT APPLICANT CLAIMING SOLE INVENTION

Harold M. Forman, a citizen of the United States of America, and a resident of Pennsburg, Pennsylvania, declares as follows:

That he is the applicant who with Trevor G. Smith on October 23, 2000 jointly filed an application for Letters Patent in the United States Patent and Trademark Office on an improvement in RECLOSABLE SEAL, PACKAGE, METHOD AND APPARATUS, above identified as Serial No. 09/693,963, and which is now pending;

That he is a joint inventor of the subject matter defined by the method and apparatus claims 45 to 71 of said application Serial No. 09/693,963 and is the sole inventor of the subjects matter defined by the composite web claims 1 to 11;

That this Declaration is necessitated because of the separation of inventions caused by the restriction requirements set forth by the Examiner in the Office Actions dated August 15, 2001 and November 5, 2001.

ACCORDINGLY, I, Harold M. Forman, declare that the invention or inventions defined by the composite web claims 1 to 11 are my sole invention.

Dated: December 12, 2001

  
\_\_\_\_\_  
Harold M. Forman

Type a plus sign (+) inside this box → 0010PTO  
Rev. 6/95U.S. Department of Commerce  
Patent and Trademark OfficeDECLARATION FOR  
UTILITY OR DESIGN  
PATENT APPLICATION

Declaration OR  Declaration  
Submitted Submitted after  
with Initial Filing Initial Filing

|                        |                  |
|------------------------|------------------|
| Attorney Docket Number | 5021             |
| First Named Inventor   | HAROLD M FORKMAN |
| COMPLETE IF KNOWN      |                  |
| Application Number     |                  |
| Filing Date            |                  |
| Group Art Unit         |                  |
| Examiner Name          |                  |

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole Inventor (if only one name is listed below) or an original, first and joint Inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RECLOSABLE SEAL, PACKAGE, METHOD AND APPARATUS

the specification of which

(Title of the Invention)

is attached hereto  
OR

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or Inventor's certificate, or §365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country              | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed   | Certified Copy Attached?   |
|-------------------------------------|----------------------|----------------------------------|--|--|
| <input type="text"/>                | <input type="text"/> | <input type="text"/>             | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(a) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | Additional provisional application numbers are listed on a supplemental priority sheet attached hereto. |
|-----------------------|--------------------------|---|
| <input type="text"/>  | <input type="text"/>     | <input type="checkbox"/>  |

Type a plus sign (+) inside this box →

## DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or 6305(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112; I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| U.S. Parent Application Number    | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|-----------------------------------|-------------------|---------------------------------|--------------------------------------|
| C.I.P. OF APP.<br>S.N. 09/364,180 |                   | 07/29/1999                      |                                      |

Additional U.S. or PCT International application numbers are listed on a supplemental priority sheet attached hereto.

As a named Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Firm Name  Customer Number or label  
 OR  
 List attorney(s) and/or agent(s) name and registration number below:

| Name            | Registration Number | Name | Registration Number |
|-----------------|---------------------|------|---------------------|
| WALTER B. UDELL | 18,974              |      |                     |

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to:  Customer Number or label  OR  Fill in correspondence address below

Name WALTER B. UDELL  
Address 1043 CAMP TRAIL ROAD  
City QUAKERTOWN State PA ZIP 18951  
Country U.S.A. Telephone 215-538-7227 Fax 215-536-8631

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned Inventor

|                      |               |                  |          |             |                 |                 |  |
|----------------------|---------------|------------------|----------|-------------|-----------------|-----------------|--|
| Given Name           | <u>HAROLD</u> | Middle Initial   | <u>M</u> | Family Name | <u>FORMAN</u>   | Suffix e.g. Jr. |  |
| Inventor's Signature | <u>Harold</u> | <u>M. Forman</u> |          | Date        | <u>10/16/00</u> |                 |  |

Residence: City PENNSBURG State PA Country U.S.A. Citizenship U.S.A.

Post Office Address P.O. BOX 522

Post Office Address 200 N. WASHINGTON ST.

City BOYERTOWN State PA Zip 19512 Country U.S.A.

Additional inventors are being named on supplemental sheet(s) attached hereto

Type a plus sign (+) inside this box →

## DECLARATION

### ADDITIONAL INVENTOR(S) Supplemental Sheet

|  |                        |                |    |   |        |                 |        |
|--|------------------------|----------------|----|---|--------|-----------------|--------|
| Name of Additional Joint Inventor, if any:   |                        |                |    | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |        |                 |        |
| Given Name   | TREVOR                 | Middle Initial | G  | Family Name   | SMITH  | Suffix e.g. Jr. |        |
| Inventor's Signature   | <i>Trevor B. Smith</i> |                |    |   | Date   |                 |        |
| Residence: City  | PHOENIXVILLE           | State          | PA | Country   | U.S.A. | Citizenship     | U.S.A. |
| Post Office Address  |                        |                |    |   |        |                 |        |
| Post Office Address  | 152 GAY STREET         |                |    |   |        |                 |        |
| City   | PHOENIXVILLE           | State          | PA | Zip   | 19460  | Country         | U.S.A. |
| Name of Additional Joint Inventor, if any:   |                        |                |    | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |        |                 |        |
| Given Name   |                        | Middle Initial |    | Family Name   |        | Suffix e.g. Jr. |        |
| Inventor's Signature   |                        |                |    |   | Date   |                 |        |
| Residence: City  |                        | State          |    | Country   |        | Citizenship     |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| City   |                        | State          |    | Zip   |        | Country         |        |
| Name of Additional Joint Inventor, if any:   |                        |                |    | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |        |                 |        |
| Given Name   |                        | Middle Initial |    | Family Name   |        | Suffix e.g. Jr. |        |
| Inventor's Signature   |                        |                |    |   | Date   |                 |        |
| Residence: City  |                        | State          |    | Country   |        | Citizenship     |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| City   |                        | State          |    | Zip   |        | Country         |        |
| Name of Additional Joint Inventor, if any:   |                        |                |    | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |        |                 |        |
| Given Name   |                        | Middle Initial |    | Family Name   |        | Suffix e.g. Jr. |        |
| Inventor's Signature   |                        |                |    |   | Date   |                 |        |
| Residence: City  |                        | State          |    | Country   |        | Citizenship     |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| Post Office Address  |                        |                |    |   |        |                 |        |
| City   |                        | State          |    | Zip   |        | Country         |        |
| <input type="checkbox"/> Additional Inventors are being named on supplemental sheet(s) attached hereto |                        |                |    |   |        |                 |        |

Type a plus sign (+) inside this box → +

0010/PTO  
Rev. 6/03U.S. Department of Commerce  
Patent and Trademark Office

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION

Declaration OR  Declaration  
Submitted Submitted after  
with Initial Filing Initial Filing

|                        |                  |
|------------------------|------------------|
| Attorney Docket Number | 5021 D1          |
| First Named Inventor   | HAROLD M. FORKAN |
| COMPLETE IF KNOWN      |                  |
| Application Number     |                  |
| Filing Date            |                  |
| Group Art Unit         |                  |
| Examiner Name          |                  |

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole Inventor (if only one name is listed below) or an original, first and joint Inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPOSITE WEB FOR MAKING RESEALABLE PACKAGES AND  
RECLOSEABLE SEALS**

the specification of which (Title of the Invention)

Is attached hereto  
OR

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 35 Code of Federal Regulations, § 1.58.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or Inventor's certificate, or §365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed   | Certified Copy Attached?   |
|-------------------------------------|---------|----------------------------------|--|--|
|                                     |         |                                  | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO   |
|                                     |         |                                  | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |

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| Application Number(s) | Filing Date (MM/DD/YYYY) | Additional provisional application numbers are listed on a supplemental priority sheet attached hereto. |
|-----------------------|--------------------------|---|
|                       |                          | <input type="checkbox"/>  |

**Burden Hour Statement:** This form is estimated to take .4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

Type a plus sign (+) inside this box →

## DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or 6305(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| U.S. Parent Application Number                                      | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|---|-------------------|---------------------------------|--------------------------------------|
| C.I.P. OF APP.<br>S.N. 09/364,180<br>DIVISION OF<br>S.N. 09/693,963 |                   | 07/29/1999<br>10/23/2000        |                                      |

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As a named Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Firm Name  Customer Number or label  
 OR  
 List attorney(s) and/or agent(s) name and registration number below:

| Name            | Registration Number | Name | Registration Number |
|-----------------|---------------------|------|---------------------|
| WALTER B. UDELL | 18,974              |      |                     |

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to:  Customer Number or label  OR  Fill in correspondence address below

Name: WALTER B. UDELL  
Address: 1042 CAMP TRAIL ROAD  
City: QUAKERTOWN State: PA ZIP: 18951  
Country: U.S.A. Telephone: 215-538-7227 Fax: 215-536-8631

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned Inventor  
Given Name: HAROLD Middle Initial: M Family Name: FORMAN Suffix: e.g. Jr.  
Inventor's Signature: Harold M. Forman Date: 12/12/01

Residence: City: PENNSBURG State: PA Country: U.S.A. Citizenship: U.S.A.

Post Office Address: P.O. Box 522

Post Office Address: 200 N. WASHINGTON ST.

City: BOYERTON State: PA Zip: 19512 Country: U.S.A.

Additional Inventors are being named on supplemental sheet(s) attached hereto

#5021D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Harold M. Foreman et al

For COMPOSITE WEB FOR MAKING RESEALABLE PACKAGES AND  
RECLOSABLE SEALS

Serial No.

Filed

Parent Application Serial No. 09/693,963

Parent Filed 23 October 2000

In Group Art Unit 3721

Examiner: Jes. F. Pascua

J1046 U.S. PTO  
10/022423  
12/20/01

1042 Camp Trail Road  
Quakertown, PA 18951

December 17, 2001

PETITION TO CORRECT INVENTORSHIP  
UNDER 37 C.F.R. SECTION 1.48 BEING FILED  
CONCURRENTLY WITH THE FILING OF A DIVISIONAL APPLICATION

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants, by the undersigned attorney hereby Petition the Honorable  
Commissioner of Patents to delete one of the inventors, namely, Trevor G. Smith as an  
inventor in the above-referenced patent application which is a Divisional of Parent Serial  
No. 09/639,963.

12/20/2001 00000043 10022423

1

130.00 CP

12/20/2001

This Divisional Patent Application is directed to Claims 1-11 of the parent application and is entitled "COMPOSITE WEB FOR MAKING RESEALABLE PACKAGES AND RECLOSABLE SEALS". This Divisional Patent Application is directed to Claims 1-11 of the parent application which is the sole invention of Harold M. Forman.

This Petition is necessitated due to the fact that there was a separation of invention caused by Restriction Requirements set forth by the Examiner in USPTO Actions dated 15 August 2001 and 5 November 2001.

Attached to this Petition are the following papers:

- (1) Declaration of Trevor G. Smith disclaiming the invention directed to Claims 1-11 of this patent application; and
- (2) Declaration by Harold M. Forman claiming sole inventorship of Claims 1-11 which is the subject matter of the Divisional Patent Application being filed; and
- (3) A Substitute Declaration executed by Harold M. Forman for the attached Divisional Patent Application directed to Claims 1-11 of the parent application as filed; and
- (6) A check in the amount of \$130.00 which is incorporated in the check for \$870.00 attached to this Divisional Patent Application filing which incorporates the large entity filing fee for a utility U.S. Patent Application and the \$130.00 Petition Fee for Correction of Inventorship.

Respectfully submitted,

  
Walter B. Udell  
Attorney for Applicant  
215-538-7227